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EXAMINER	
THOMPSON, MARC D	

ART UNIT	PAPER NUMBER
2144	13

DATE MAILED: 01/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/329,321	KORKEA-AHO, MARI	
	Examiner	Art Unit	
	Marc D. Thompson	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4,6-13,15-25 and 27-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4,6-13,15-25 and 27-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 June 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Request for Continued Examination

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission, Amendment B, Paper #7, filed on 6/2/2003 has been entered.

2. Claims 1, 4, 6-13, 15-25, and 27-37 are now pending.

Priority

3. No claim for priority has been made in this application.

4. The effective filing date for the subject matter defined in the pending claims in this application is 6/10/1999.

Drawings

5. The Examiner contends that the drawings submitted on 6/10/1999 are acceptable for examination proceedings.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1, 4, 6-13, 15-25, and 27-37 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. All the claims use the relative term "near" to describe a positional relational proximity to a specific, yet arbitrary, geographical point. Further, two of these distinct geographical points are recited, and the correlation of the first/second user/mobile terminal to the geographical point(s) cannot be established beyond being "near" (or equivalently "close") to the respective geographical location. The use of this relative term renders the claims indefinite, since, there is no easy determination ascertainable concerning what criteria is/ must be satisfied in order to discern a location(s) as "near" or not "near".

9. Claim 13 recites the limitation "said storage" in Line 8 of the claim. There is insufficient antecedent basis for this limitation in the claim. Claims 15-24 inherit this deficiency.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

11. Claims 1, 4, 7, 13, 15-17, 20, 25, 27-29, and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by DeLorme (U.S. Patent Number 5,848,373), hereinafter referred to as DeLorme.

12. DeLorme disclosed a portable computing device, with an optionally coupled GPS location unit, which acted to output various types of mapping materials which correlated information using locational coordinates for indication or incorporation on the map(s). See Abstract, Column 3, Lines 56-67, Column 4, Lines 21-38, Column 7, Line 40 through Column 8, Line 65, and Column 9, Line 56 through Column 11, Line 5. The incorporation of

HTML and HTTP as Internet transports and standardized data delivery format including remote database querying, information addressing, and dynamic output generation provided selective filtering of gathered information for display to a requesting client user. Lastly, the use of client initiated "posting" of information when in proximity of a specific geographical point was expressly disclosed, inter alia, in Column 44, Lines 18-29, and the retrieval of this information to other user(s) when in proximity of geographical point(s) was expressly disclosed, inter alia, in Column 45, Lines 4-18. Thus, the breadth of the claimed invention lends itself to complete anticipation in light of this reference. A detailed mapping of DeLorme to the claimed invention follows:

(Claims 1, 13, 25)

1. *A storage which stores location information in corresponding relation to each of plurality of geographical points*, was taught by DeLorme, inter alia, in Column 13, Lines 5-30, and Column 16, Line 46 through Column 17, Line 48.

2. *Location information providing information concerning said geographical points*, was taught by DeLorme, inter alia, in Column 16, Line 46 through Column 17, Line 48.

3. *Location information is stored in storage by users of mobile terminals positioned near at least one of the plurality of geographical points for use by other users of mobile terminals when positioned near said [] geographical points*, was taught by DeLorme in Column 17, Lines 38-64, Column 39, Lines 48-66, and Column 44, Lines 18-45.

4. *Storage means responsive to a storage request, including positioning information, initiated by a first user of a mobile terminal positioned near a first geographical point for storing*

location information about said first geographical point, was taught by DeLorme, inter alia, in Column 44, Lines 18-29.

5. *Retrieval means responsive to a retrieval request, including positioning information, initiated by a second user of a mobile terminal positioned near a second geographical point for retrieving location information concerning said first geographical point corresponding to the positioning information*, was taught by DeLorme, inter alia, in Column 45, Lines 4-18.

(Claims 15, 27)

6. *Positioning information included in each of storage and retrieval requests transmitted by mobile terminal indicates a geographical position of mobile terminal*, was taught by DeLorme, inter alia, in Column 44, Lines 24-29, and Column 45, Lines 13-19.

(Claims 4, 16, 28)

7. *Positioning information is supplied by a positioning system*, was taught by DeLorme, inter alia, in Column 17, Lines 49-64.

(Claims 17, 29)

8. *Positioning information is input by a terminal user*, was taught by DeLorme, inter alia, in Column 21, Lines 32-40, and Column 63, Lines 38-55.

(Claims 7, 20, 32)

9. *Virtual electronic document providing information corresponding to the geographical point*, was taught by DeLorme, inter alia, in Column 29, Lines 5-48.

13. Since all the limitations set forth in claims 1, 4, 7, 13, 15-17, 20, 25, 27-29, and 32, were expressly disclosed by DeLorme, claims 1, 4, 7, 13, 15-17, 20, 25, 27-29, and 32 are rejected.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

15. Claims 6, 8-10, 11-12, 18-19, 21-24, 30-31, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme as detailed above, further in view of what would have been obvious to one of ordinary skill in the art at the time the invention was made.

16. DeLorme disclosed the invention substantially as claimed as detailed in the above rejection. DeLorme failed to specifically disclose each and every locational object database field used when storing and subsequently filtering stored information for output display. However, a number of these fields were specifically disclosed, and suggestion for incorporation of "a lengthy document or extensive database inside of [the] standard [loc/object] data structure." See Column 28, Line 19 through Column 29, Line 48, and Column 30, Lines 3-20. Further, DeLorme failed to specifically disclose the use of hypertext markup language (HTML), although DeLorme specifically mentioned "linking" information to other information and to avatars (inter alia, Column 29, Lines 5-23), as well as combining text, graphics, and database querying of internal and external database(s) (inter alia, Column 30, Lines 3-20). It has been established on the record that hypertext markup languages (HTML) for information formatting on a typical Internet "browser", and hypertext transfer protocol (HTTP) for actual network transport of HTML and other types of digital data was notoriously well known and widely implemented in the prior art. See, inter alia, previous action(s), and response to arguments, below. Thus, it

would have obvious to an ordinary artisan to use HTML in the system of DeLorme in order to provide a mechanism for retrieving, formatting, and displaying the client requested information in a typical network browser, as suggested by DeLorme in Column 26, Lines 15-30.

(Claims 6, 18, 30)

1. *Location information of geographical point includes: Position information of geographical point, ID information including a geographical point name, Title information of location information, Type of geographical point/location information, Owner of location information, Access rights of users for location information, Comments of a creator information, Link information for linking other information, Date of creation information, and Expiration date information*, would have been obvious to an ordinary artisan, inter alia, in view of DeLorme, Column 30, Lines 3-20. The association of the location object with information directly related to the object comes directly at the cost of database memory storage, whether that space was local or remote to the object storage. These database fields associated with a particular locational object were purely a matter of choice, and one which would increase the "richness" of the location object associated information. That is, more related data resulted in more filtering options, and more location object specific information. Further, the selection of specific field entries were arbitrary.

(Claims 8, 21, 33)

2. *Virtual electronic document is a web page*, would have been inherent in a system which utilized HTML. As established, the use of HTML would have been obvious to an ordinary artisan working with the DeLorme system in order to share, compile, and display the

client requested information in a formatted fashion, additionally providing dynamic generation of the HTML documents (web pages) with relevant, filtered information.

(Claims 9, 12, 19, 22, 31, 34)

3. *Web page is linked to other [web] pages*, was included with the incorporation of HTML into the DeLorme system detailed in Column 29, Lines 5-23. The intended purpose of HTML was known to incorporate "linking" of stored, related information to other HTML documents by using document addresses. Linking together web pages (HTML documents) was an inherent function of the well known, and widely implemented HTML specification.

(Claims 10, 11, 23, 24, 35, 36)

4. *Web page is linked to other web pages on same server or other network accessible server*, would have resulted directly through the use of HTML, and the disclosed operation of the DeLorme system in, inter alia, Column 30, Lines 3-20. Again, this was a known, widely implemented feature of HTML, inherent in any system utilizing this particular markup language.

(claim 37)

17. *First and second geographical points are the same point*, would have been obvious to one of ordinary skill in the art at the time of invention, being a trivial case of geographical point selection.

18. Since the invention as claimed would have been obvious to the ordinary artisan at the time the invention was made in view of DeLorme and the widely implemented use of HTML for document storage, document formatting, and linking of related, specified documents, claims 6, 8-10, 11-12, 18-19, 21-24, 30-31, and 37 are rejected.

19. Claims 1, 4, 6-13, 15-25, 27-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phelan et al. (Patent Number WO 97/07467), hereinafter referred to as Phelan, in view of Obradovich et al. (U.S. Patent Number 6,148,261), hereinafter referred to as Obradovich, further in view of what would have been obvious to one of ordinary skill in the art at the time the invention was made.

20. Phelan disclosed a combined map and location information providing service available to mobile (handheld or laptop) computing units, optionally equipped with GPS to isolate current client terminal position, resulting in a system which queried database(s) and returned pertinent information to a requesting client user. See, inter alia, Abstract, Page 2, Line 30 through Page 3, Line 33. The system was further equipped with well known prior art HTML enabled information transport and display specifications. See, inter alia, Page 1, Line 26 through Page 2, Line 6.

21. While Phelan disclosed the invention substantially as claimed, Phelan did not specifically disclose the actual storage of location related/associated information received from a client terminal. Phelan disclosed multiple databases containing geographically located data, including description, location, classification, and detailing information about points of interest on a map based interface. Thus, it was clear that this information was stored in digital form, and any artisan would realize this information was not random, and must have been a result of some form of storage, compilation, and indexing means, seemingly omitted from the teachings of Phelan. That is, Phelan remained silent as to the specifics of information storage, how the information was input into the database(s), and the specific equipment and/or methodology required to result in the system as described. Thus, an ordinary artisan would have been motivated to search the related portable terminal, web-based mapping and information delivery systems to find systems

which fully describe the collection, posting, insertion, and indexing of the information within the databases which were utilized by Phelan.

In summary, Phelan failed to expressly disclose the ability for a client terminal to provide geographic location and related information for storage and distribution to other client terminals.

In the same art of coordinating information with geographical locations, Obradovich disclosed the use of personal database(s), optionally stored locally to individual client terminals, which utilized location information obtained from, for example, GPS module(s), to share location related information with peer client terminals. See, inter alia, Column 3, Line 18 through Column 4, Line 41. This section of the Obradovich teachings were expressly clear about client to client information sharing, and additionally, when the two geographical points are identical. See, inter alia, Column 4, Lines 29-33.

Lastly, the incorporation of specifically identified fields as evident in claim 6, would have been obvious to one of ordinary skill in the art at the time the invention was made, since the teachings of Phelan and Obradovich directly alluded to use of such stored information in regular operation of the system. Database fields including position/geographical point information, ID and title/classification information, access rights for specified classes of users, (hyper)linked addressing information, date of creation information, etc., were well within the skill of one with ordinary knowledge in the field, and the result of processing of these fields was present in the combined teachings and the established admitted prior art of record. Of course, the storage of all information came at a price: the consumption of memory. Given that the disclosed document, information, and map servers were little more than huge storage devices, it was a matter of design choice to incorporate these specific database fields. Of course, the more information

which was available, the more versatile a searching system became. Thus, it would have been obvious to incorporate the various recited database fields set forth in the claim limitations, simply to provide more information for more versatility in filtering pertinent information.

Thus, the combination of Phelan, Obradovich, and the knowledge within scope of one with ordinary skill in the art at the time the invention was made would have made the invention obvious, resulting in a geographical locational mapping system, fully functional in a wide-area network environment using HTML and HTTP, which supplied and gathered information related directly to geographical points for storage and filtering on remote network databases.

A detailed mapping of the claims to the prior art follows:

(Claims 1, 13, 25)

1. *A storage which stores location information in corresponding relation to each of plurality of geographical points*, was taught by Phelan, inter alia, in Page 4, Lines 4-13, and was taught by Obradovich, inter alia, in Column 4, Lines 1-5.

2. *Location information providing information concerning said geographical points*, was taught by Phelan in, inter alia, Page 4, Lines 27-30, was taught by Obradovich, inter alia, in Column 2, Lines 66-67.

3. *Location information is stored in storage by users of mobile terminals positioned near at least one of the plurality of geographical points for use by other users of mobile terminals when positioned near said [] geographical points*, was expressly taught by Obradovich, inter alia, in Column 4, Lines 26-41.

4. *Storage means responsive to a storage request, including positioning information, initiated by a first user of a mobile terminal positioned near a first geographical*

point for storing location information about said first geographical point, was expressly taught by Obradovich, inter alia, in Column 4, Lines 57-67.

5. *Retrieval means responsive to a retrieval request, including positioning information, initiated by a second user of a mobile terminal positioned near a second geographical point for retrieving location information concerning said first geographical point corresponding to the positioning information*, was taught by Phelan in, inter alia, Page 5, Lines 1-36, Page 10, Lines 10-23, and Page 13, Lines 3-31, and was taught by Obradovich, inter alia, in Column 4, Lines 42-56.

(Claims 15, 27)

6. *Positioning information included in each of storage and retrieval requests transmitted by mobile terminal indicates a geographical position of mobile terminal*, was taught by Phelan in, inter alia, Page 6, Line 34 through Page 7, Line 9, and Page 10, Lines 10-23, especially Page 7, Lines 2-9, Page 10, Lines 10-23, and Page 13, Lines 3-31, and was taught by Obradovich, inter alia, in Column 5, Lines 14-21.

(Claims 4, 16, 28)

7. *Positioning information is supplied by a positioning system*, was taught by Phelan, inter alia, in Page 6, Line 34 through Page 7, Line 2, and was taught by Obradovich, inter alia, in Column 5, Lines 29-39.

(Claims 17, 29)

8. *Positioning information is input by a terminal user*, was taught by Phelan, inter alia, in Page 6, Lines 34-36, Page 14, Lines 19-27, and Page 16, Lines 3-29.

(Claims 6, 18, 30)

9. *Location information of geographical point includes: Position information of geographical point, ID information including a geographical point name, Title information of location information, Type of geographical point/location information, Owner of location information, Access rights of users for location information, Comments of a creator information, Link information for linking other information, Date of creation information, Expiration date information*, were either expressly mentioned/described by the combination of Phelan and Obradovich, or would have been obvious to incorporate and utilize as further informational filters, as explained above.

(Claims 7, 20, 32)

10. *Virtual electronic document providing information corresponding to the geographical point*, was taught by Phelan, inter alia, in Page 6, Lines 24-33.

(Claims 8, 21, 33)

11. *Virtual electronic document is a web page*, was taught by Phelan, inter alia, in Page 6, Lines 24-33.

(Claims 9, 12, 19, 22, 31, 34)

12. *Web page is linked to other [web] pages*, was taught by Phelan, inter alia, in Page 6, Lines 24-33, as well as being a well known feature of the well known (established) information display language HTML.

(Claims 10, 11, 23, 24, 35, 36)

13. *Web page is linked to other web pages on same server or other network accessible server*, was taught by Phelan, inter alia, in Page 6, Lines 24-33, as well as being a well known feature of the well known (established) information display language HTML.

(claim 37)

14. *First and second geographical points are the same point*, was taught by Obradovich, inter alia, in Column 3, Line 66 through Column 4, Line 8, as well as being a trivial case of storage of information and subsequent retrieval of the information.

Since all the claimed limitations set forth in the presented claims were expressly described in the combined prior art of record, or otherwise within the scope of what would have been obvious to one of ordinary skill in the art at the time the invention was made as detailed above, claims 1, 4, 6-13, 15-25, and 27-37 are rejected.

Response to Arguments

22. The arguments presented by Applicant in the response, Amendment B, Paper #7, received on 6/2/2003, are not considered persuasive.

23. Applicant has failed to seasonably challenge the Examiner's assertions of well known subject matter in the previous Office action(s) pursuant to the requirements set forth under MPEP §2144.03. A "seasonable challenge" is an explicit demand for evidence set forth by Applicant in the next response. Accordingly, the claim limitations the Examiner considered as "well known" in the first Office action through use of Official Notice, i.e. the use of HTTP and/or HTML in a networking environment, are now established as admitted prior art of record for the course of the prosecution. See *In re Chevenard*, 139 F.2d 71, 60 USPQ 239 (CCPA 1943). The provision for this protocol/markup language usage does not constitute a patentable distinction.

24. Examiner notes Applicant references claims which are no longer pending in the application. See, Response, Amendment B, Paper #7, filed 6/2/2003, inter alia, Page 5, Line 14-15, and Page 7, Line 18. For clarification, claims 2, 14, 26 were cancelled in

Amendment A, Paper #4, submitted on 1/6/2003, and claims 3 and 5 were cancelled in Amendment B, Paper #7, submitted 6/2/2003. Claim 37 was added during this latter submission. The presently pending (remaining) claims in case are 1, 4, 6-13, 15-25, and 27-37.

25. Applicant argues the prior art of record did not expressly disclose or suggest location information being stored in storage by users of mobile terminals positioned near [a] geographical point for use by other users of mobile terminals when positioned near the/another geographical point. See, inter alia, Response, Amendment B, Paper #7, filed 6/2/2003, Page 6, Lines 20-22, Page 6, Line 24 through Page 7, Line 2, and Page 8, Line 16 through Page 9, Line 5. It is noted that this express functionality was expressly disclosed by, inter alia, the combination of teachings located at DeLorme, Column 39, Line 48 through Column 40, Line 12, Column 44, Lines 18-29, and Column 45, Lines 10-18. The provision for "assignment of a specified location to a particular digital object selected by the user for location assignment...[where] the assigned location data is based upon the current position sensor data" (Column 44, Lines 22-25) taught "storage means responsive to a storage request, including positioning information, initiated by a first user of a mobile terminal positioned near a first geographical point for storing location information about said first geographical point" (inter alia, claim 1), and "the entered message is expressed is expressed on the [device] directly as a function of the user location, i.e., approaching a specified destination" (Column 45, Lines 13-16) taught "retrieval means responsive to a retrieval request, including positioning information, initiated by a second user of a mobile terminal positioned near a second geographical point for retrieving location information concerning said first geographical point corresponding to the positioning information" (inter alia, claim 1), precisely.

26. Obradovich expressly provided functionality enabling GPS equipped terminals to create, update, and retrieve waypoint (or point of interest) information. See, inter alia, Columns 3-4.

27. Additionally, other sections of DeLorme, as well as other sections of the prior art cited as a whole, described this functionality, as well as being obvious to one of ordinary skill in the art based simply on (a) user input of location information using gathered (or input) geographical coordinates, and (b) retrieval of information regarding particular geographical location(s) based on the location of the displaying device. Examiner contends any determination of patentability must be based on feature(s) or functionality well beyond this alleged difference based on the teachings of the prior art, as applied, and as a whole.

28. The scope change of the amendment presented in the Response, Amendment B, Paper #7, filed 6/2/2003, is not considered to distinguish the claimed invention from the teachings of the prior art, inter alia, as specifically described above. These submitted changes are minimal, and while claim scope and inventive concept(s) are impacted, the now claimed invention is fully met by the applied prior art of record. Applicant is encouraged to consider significant modification (or reconstruction) of the claimed invention to more clearly describe the details of the claimed invention which would clearly differentiate the claimed invention from the currently and previously applied prior art of record. Examiner invites discussion and cooperation with Applicant for advancement of prosecution by personal or telephonic interview, resulting in clearly distinguishing the described invention as set forth in the claims from the prior art of record. Thus, further contact between the parties for technical discussion is highly encouraged in order to minimize undue delay and cost during any remaining prosecution of this application.

Conclusion

29. As a courtesy to the Applicant, the above action is made NON-FINAL to enable Applicant to respond without undue burden, wherein a First-Action Final Office Action would normally be appropriate (See MPEP 706.07(b)).

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

31. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Marc Thompson whose telephone number is (703) 308-6750. The Examiner can normally be reached on Monday-Friday from 9am to 4pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Jack Harvey, can be reached at (703) 305-9705. The fax phone number for this Group is (703) 872-9306. Inquiries of a general nature relating to the general status of this application or proceeding should be directed to the 2100 Group receptionist whose telephone number is (703) 305-3900.

MARC D. THOMPSON
MARC THOMPSON
PRIMARY EXAMINER

Marc D. Thompson
Primary Examiner
Art Unit 2144